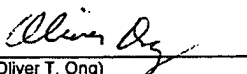


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 20, 2007 Signature: 

(Oliver T. Ong)

Docket No.: 28594/39468
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Alvin J. Borthwick

Application No.: 10/608,711

Confirmation No.: 6940

Filed: June 27, 2003

Art Unit: 3627

For: SYSTEM FOR MANAGING REQUESTS AND
METHOD OF MANAGING REQUESTS

Examiner: Faris S. Almatrahi

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed November 20, 2007, Applicant hereby elects with traverse the species identified as Species A. Moreover, Applicant submits that claims 91-135 read on Species A.

Applicant respectfully traverses the restriction requirement as improper because the identified Species A represents a genus to the identified Species B, C, and D, rather than an independent and distinct species.

In particular, paragraph 0087 (which the Office action identifies as disclosing Species A) and corresponding paragraphs to paragraph 0087 describe a method and system of receiving a request over a communication line, identifying contact details, and providing a user interface having an indicator associated with a stock item related to the request. The description of paragraph 0169, to which the Examiner attributes to Species B, discloses additional features or limitations involving processing a telephone request using the method and system of Species A.

MPEP 806.05(c)(I) specifically provides the following:

Where a combination as claimed requires the details of a subcombination as separately claimed, there is usually no evidence

that combination AB^{sp} is patentable without the details of B^{sp}. The inventions are not distinct and a requirement for restriction must not be made or maintained, even if the subcombination has separate utility. This situation can be diagrammed as combination AB^{sp} ("sp" is an abbreviation for "specific"), and subcombination B^{sp}. Thus the specific characteristics required by the subcombination claim B^{sp} are also required by the combination claim.

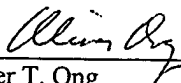
Because the described features of processing a telephone request in Species B requires the method and system described as Species A, Species B is not distinct from Species A and the restriction is improper with respect to Species A and Species B.

The description of paragraph 0184, to which the Examiner attributes to Species C, discloses the method and system of Species A with the additional feature of an electronic billboard for use with the method and system of Species A. Similarly, the description of paragraph 0188, to which the Examiner attributes to Species D, discloses the method and system of Species A with the additional feature of a compact display window to be used with the method and system of Species A. Because the described features or limitations of Species C and D require the method and system described as Species A, neither Species C or D is distinct from Species A and the restriction is improper with respect to Species A, and Species C and D. Applicant thus requests that the restriction requirement be withdrawn, and that each of claims 91-135 presently pending in this application be examined.

Although Applicant believes that no fees are due, the Commissioner is hereby authorized to charge any fees or to credit any overpayments to Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP. If there are matters that can be discussed by telephone to further the prosecution of this application, Applicant respectfully requests that the Examiner call its attorney at the number listed below.

Dated: December 20, 2007

Respectfully submitted,

By 
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